



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,799	04/27/2001	Tatsuya Suzuki	501.39952X00	7386

20457 7590 06/22/2006

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-3873

EXAMINER

GREIMEL, JOCELYN

ART UNIT	PAPER NUMBER
----------	--------------

3624

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/842,799	Applicant(s) SUZUKI ET AL.	
	Examiner Jocelyn W. Greimel	Art Unit 3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to Applicant's application filed April 27, 2001. Claims 1-14 are being examined.

Specification

2. The abstract of the disclosure is objected to because the abstract is more than one paragraph. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-14 rejected under 35 U.S.C. 102(e) as being anticipated by Heissenbuttel et al (US Patent No. 6,993,503, hereinafter Heissenbuttel). In reference to claim 1, Heissenbuttel discloses a method for mediating transactions between firms wherein arithmetic processing selects a supplier firm capable of achieving a product quality level satisfying a product quality level requested by a purchasing firm (col. 4, lines 21-42); the selection being based on information about conditions for a product

Art Unit: 3624

quality level requested by said purchasing firm for a product or part to be purchased and information about a product quality level capable of being achieved by said supplier firm for said product or said part (col. 6, lines 21-43; col. 7, lines 15-23); and negotiation solicitation information is provided to said purchasing firm and a selected supplier firm by way of a network (col. 12, lines 36-52). Additionally, Applicant's method pertains to products or parts while Heissenbuttel describes a method related to travel related services. However, Heissebuttel discloses that the method and system may be used in the sale of various other goods including consumer products (col. 2, lines 26-46). Applicant also references product quality level (requested and capable of being provided) which are a rating and ranking process, which is disclosed by Heissenbuttel (col. 6, lines 21-43).

5. In reference to claims 2 and 3, Heissenbuttel also discloses a method for mediating transactions between firms as described where information about conditions for a product quality level requested by said purchasing firm for a product or part to be purchased includes quality level index data obtained by executing an evaluation calculation program provided by a site belonging to an inter-firm transaction mediator to calculate a quantitative evaluation of product quality levels (col. 1, lines 43-55; col. 5, lines 19-46). Additionally, Heissenbuttel discloses the method with information about a product quality level capable of being achieved by said supplier firm for said product or said part includes product quality level index data obtained by executing a quality calculation program provided by a site belonging to an inter-firm transaction mediator to

Art Unit: 3624

quantitatively evaluate product quality levels (col. 4, lines 21-42; col. 5, lines 19-46; col. 6, lines 57-62; col. 7, lines 15-22).

6. In reference to claim 4, Heissenbuttel teaches a method for mediating transactions between firms with means for arithmetic processing selects a supplier firm capable of achieving a production quality level satisfying a production quality level requested by a purchasing firm; said selection being based on information about conditions for a production quality level requested by said purchasing firm for a firm supplying a product or part to be purchased and information about a production quality level of a supplier firm; and negotiation solicitation information is provided to said purchasing firm and a selected supplier firm (col. 2, lines 41-45; col. 4, lines 21-42; col. 5, lines 34-46).

7. In reference to claims 5 and 6, Heissenbuttel discloses a method for mediating transactions between firms wherein said information about conditions for a production quality level requested by said purchasing firm for a firm supplying a product or part to be purchased includes production quality level index data obtained by executing a quality calculation program provided by a site belonging to an inter-firm transaction mediator to calculate a quantitative evaluation of a production quality level needed to obtain a certain product quality level (col. 1, lines 44-46; col. 5, lines 19-46; col. 6, lines 21-43). Heissenbuttel also discloses a method wherein said information about a quality level of a supplier firm includes production quality level index data obtained by executing a quality calculation program provided by a site belonging to an inter-firm

Art Unit: 3624

transaction mediator to calculate a quantitative evaluation of a production quality level needed to achieve a certain product quality level (col. 4, lines 21-42; col. 6, lines 57-62).

8. In reference to claim 7, Heissenbuttel discloses a method for mediating transactions between firms wherein: an inter-firm transaction mediator calculates a production quality level index needed by a supplier firm in order to satisfy a product quality level requested by said purchasing firm for said product or part to be purchased, said calculation being based on information relating to specifications obtained from said purchasing firm of said product or part to be purchased and information about a product quality level requested for said product to be purchased; said estimated production quality level index needed by a supplier firm being included in condition information for a production quality level of a supplier firm (col. 4, lines 21-42; col. 5, lines 19-46; col. 6, lines 21-43; col. 7, lines 15-22; col. 10, lines 60-67).

9. In reference to claim 8, Heissenbuttel teaches a method for mediating transactions between firms where an inter-firm transaction mediator calculates a production quality level index of a supplier firm based on production conditions information obtained from said supplier firm; and said calculated production quality level index of said supplier firm is included in condition information for a production quality level requested of a firm supplying said product or part to be purchased by said purchasing firm (col. 4, lines 21-42; col. 5, lines 19-46; col. 6, lines 21-43 and 57-62; col. 7, lines 15-22; col. 10, lines 60-67).

10. In reference to claim 9, Heissenbuttel teaches a method for mediating transactions between firms comprising the steps of: receiving input from a terminal of a

Art Unit: 3624

purchasing firm containing purchaser request information regarding a product to be purchased, including requested quality information, requested delivery date information, and requested price information, and calculating a composite request index based on said purchaser request information using means for processing arithmetic (col. 4, lines 21-67; col. 5, lines 1-46); receiving input from a terminal of a supplier firm containing supplier request information regarding a product to be delivered, including production quality level information, possible delivery data information, and requested price information, and calculating a composite ability index based on said supplier request information using means for processing arithmetic (col. 4, lines 21-67; col. 5, lines 1-46); extracting a supplier firm with a composite ability index fulfilling conditions of said composite request index; and sending negotiation solicitation information to said supplier firm (col. 12, lines 36-52).

11. In reference to claim 10, Heissenbuttel discloses an inter-firm transaction method wherein a site belonging to a purchasing firm receives input from a terminal belonging to a supplier firm with production quality information regarding a product to be delivered; said site uses means for processing arithmetic to select a supplier firm with a production quality index fulfilling a quality index requested by said purchasing firm; and said site sends negotiation solicitation information to a terminal of said selected supplier firm (col. 4, lines 21-42).

12. In reference to claims 11-14, Heissenbuttel discloses a method for mediating transactions between firms wherein for one or at least two selected supplier firms, at least name and product quality level information is displayed on a display device of a

Art Unit: 3624

terminal of said purchasing firm; wherein name and product quality level information relating to said product or part of another supplier firm is displayed on a display device of a terminal of said purchasing firm; wherein for one or at least two selected supplier firms, at least name and product quality level information is displayed on a display device of a terminal of said purchasing firm; wherein name and product quality level information relating to said product or part of another supplier firm is displayed on a display device of a terminal of said purchasing firm (col. 12, lines 24-67; col. 13, lines 1-19).

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Kutsuzawa et al (US Patent Pub. No. 2001/0056412) and Livesay et al (US Patent Pub. No. 2002/0046147 A1).

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jocelyn Greimel whose telephone number is (571) 272-3734. The examiner can normally be reached Monday - Friday 8:30 AM - 4:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached at (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3624

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jocelyn Greimel
Examiner
June 5, 2006



HANI M. KAZIMI
PRIMARY EXAMINER